

**MICHELLE BUTLER,** )  
**Plaintiff,** )  
) )  
**v.** )  
) )  
**MICHAEL J. ASTRUE,** )  
**Commissioner of Social Security,** )  
**Defendant.** )

**THIS MATTER IS BEFORE THE COURT** on Defendant’s “Consent Motion For Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. §405(g)” (Document No. 9) filed January 21, 2009. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and immediate review is appropriate.

The Defendant, Michael Astrue, Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing his decision with a remand of the cause for further administrative proceedings.

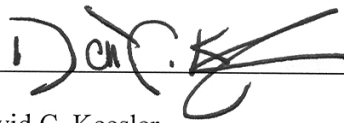
On remand, the Commissioner will assign this matter to an Administrative Law Judge (“ALJ”) who will be instructed to further evaluate the nonexamining state agency medical source opinion evidence, further evaluate Plaintiff’s credibility, and further evaluate Plaintiff’s residual functional capacity. In addition, the ALJ will be instructed to consider whether Plaintiff engaged in substantial gainful activity during the period at issue and whether or not her employer(s) provided accommodations for her impairments.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand under sentence four of 42 U.S.C. § 405(g), this Court hereby REVERSES the

Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the cause to the Commissioner for further proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

**IT IS THEREFORE ORDERED** that Defendant's "Consent Motion For Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. §405(g)" (Document No. 9) is hereby **GRANTED**.

Signed: January 26, 2009

  
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David C. Keesler  
United States Magistrate Judge

